

Message Text

CONFIDENTIAL

PAGE 01 BONN 13399 01 OF 02 231646Z

45

ACTION EUR-25

INFO OCT-01 IO-14 ISO-00 CIAE-00 DODE-00 PM-07 H-03 INR-11

L-03 NSAE-00 NSC-07 PA-04 RSC-01 PRS-01 SP-03 SS-20

USIA-15 SAJ-01 ACDA-19 DRC-01 /136 W

----- 038204

R 231630Z AUG 74

FM AMEMBASSY BONN

TO SECSTATE WASHDC 4598

INFO USMISSION USUN NEW YORK

AMEMBASSY LONDON

AMEMBASSY PARIS

USMISSION NATO BRUSSELS

AMEMBASSY MOSCOW

C O N F I D E N T I A L SECTION 01 OF 02 BONN 13399

E.O.11652: GDS

TAGS: PFOR, WB, GW, UK, US UR, FR

SUBJECT: REPLY TO SOVIET STATEMENTS ON COVENANT ON
CIVIL AND POLITICAL RIGHTS

REF: (A) BONN 12961; (B) STATE 177420 (NOTAL);
(C) BONN 11010 (NOTAL)

1. BONN GROUP REACHED AUGUST 23 AD REF AGREEMENT ON
TEXT OF ALLIED LETTER FOR USE IN UN AS REPLY TO SOVIET
NOTE IN UN REPORTED REFTEL A. LETTER FOLLOWS PATTERN
OF "MODEL TEXT" DEVELOPED EARLIER (BONN 7111). REPS
ALSO AGREED AD REF THAT LETTER WOULD ALSO SERVE AS REPLY
TO SOVIET JUNE 11 ORAL COMMUNICATION TO ALLIED EMBASSIES
IN MOSCOW, ON FOLLOWING BASIS: ON DAY LETTER WOULD BE
DELIVERED IN UN, ALLIED REPS IN MOSCOW WOULD PASS COPY
TO SOVIETS AT APPROPRIATE LEVEL INDICATING THAT LETTER
ALSO WAS RESPONSE TO JUNE 11 STATEMENT.

2. BEGIN TEXT:

CONFIDENTIAL

CONFIDENTIAL

PAGE 02 BONN 13399 01 OF 02 231646Z

A. I HAVE THE HONOUR TO REFER TO CIRCULAR NOTE

145.1-741 TREATIES-3 OF AUGUST 5, 1974 CONCERNING THE
DECLARATION OF THE REPRESENTATIVE OF THE USSR OF JULY 5,
1974 ABOUT EXTENSION TO THE WSB OF THE INTERNATIONAL
COVENANTS ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS AND ON
CIVIL AND POLITICAL RIGHTS.

B. THE GOVERNMENT WISHES TO BRING TO THE
ATTENTION OF THE STATES PARTIES TO THE COVENANTS THAT
THE EXTENSION OF THESE COVENANTS TO THE WSB RECEIVED
THE PRIOR AUTHORIZATION, UNDER ESTABLISHED PROCEDURES,
OF THE AUTHORITIES OF THE US, FRANCE AND THE UK ON THE
BASIS OF THEIR SUPREME AUTHORITY IN THOSE SECTORS.

C. THE GOVERNMENT WISHES TO POINT OUT THAT
THE INTERNATIONAL COVENANTS ON ECONOMIC, SOCIAL AND
CULTURAL RIGHTS AND ON CIVIL AND POLITICAL RIGHTS, THE
PRIMARY PURPOSE OF WHICH IS THE PROTECTION OF THE RIGHTS
OF THE INDIVIDUAL, ARE NOT TREATIES WHICH "BY REASON OF
THEIR MATERIAL CONTENT, DIRECTLY AFFECT MATTERS OF
SECURITY AND STATUS".

D. AS FOR THE REFERENCES TO THE QUADRIpartite
AGREEMENT OF 3 SEPTEMBER 1971 CONTAINED IN THE USSR
DECLARATION, THE GOVERNMENT WISHES TO POINT OUT
THAT, IN A COMMUNICATION TO THE GOVERNMENT OF THE USSR
WHICH IS AN INTEGRAL PART (ANNEX IV A) OF THAT AGREEMENT
THE THREE POWERS REAFFIRMED THAT, PROVIDED MATTERS OF
SECURITY AND STATUS ARE NOT AFFECTED, INTERNATIONAL
AGREEMENTS AND ARRANGEMENTS ENTERED INTO BY THE FEDERAL
REPUBLIC OF GERMANY MAY BE EXTENDED TO THE WESTERN
SECTORS OF BERLIN. FOR ITS PART, THE GOVERNMENT OF THE
UNION OF SOVIET SOCIALIST REPUBLICS, IN A COMMUNICATION
TO THE GOVERNMENTS OF THE THREE POWERS WHICH IS SIMILARLY

CONFIDENTIAL

NNN

CONFIDENTIAL

PAGE 01 BONN 13399 02 OF 02 231649Z

45

ACTION EUR-25

INFO OCT-01 IO-14 ISO-00 CIAE-00 DODE-00 PM-07 H-03 INR-11

L-03 NSAE-00 NSC-07 PA-04 RSC-01 PRS-01 SP-03 SS-20

USIA-15 SAJ-01 ACDA-19 DRC-01 /136 W

----- 038242

R 231630Z AUG 74

FM AMEMBASSY BONN

TO SECSTATE WASHDC 4599

INFO USMISSION USUN NEW YORK

AMEMBASSY LONDON

AMEMBASSY PARIS

USMISSION NATO BRUSSELS

AMEMBASSY MOSCOW

C O N F I D E N T I A L SECTION 02 OF 02 BONN 13399

AN INTEGRAL PART (ANNEX IV B) OF THE QUADRIPARTITE
AGREEMENT OF SEPTEMBER 3, 1971, AFFIRMED THAT IT WOULD
RAISE NO OBJECTION TO SUCH EXTENSION.

E. IN AUTHORISING THE EXTENSION OF THE COVENANTS
TO THE WSB, AS MENTIONED ABOVE, THE AUTHORITIES OF THE
THREE POWERS TOOK ALL NECESSARY MEASURES TO ENSURE THAT
THE COVENANTS CANNOT BE APPLIED IN THE WSB IN SUCH A
WAY AS TO AFFECT MATTERS OF SECURITY AND STATUS. AC-
CORDINGLY, THE APPLICATION OF THE COVENANTS TO THE WSB
CONTINUES IN FULL FORCE AND EFFECT.

F. I HAVE THE HONOUR TO REQUEST THAT THE CONTENTS
OF THIS NOTE BE CIRCULATED TO ALL STATES PARTIES TO THE
COVENANTS. END TEXT.

3. COMMENT AND ACTION REQUESTED: EMBASSY BELIEVES PLAN
OUTLINED PARA ONE IS EXCELLENT WAY FOR ALLIES TO
RESPOND TO SOVIET MOSCOW DEMARCHES WITHOUT ENGAGING
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 BONN 13399 02 OF 02 231649Z

SELVES DIRECTLY IN SPECIFIC DETAILED DISPUTE ON QA USE
OF "STATUS AND SECURITY", A DISPUTE WHICH WOULD
PROBABLY AMOUNT TO A KIND OF LEGAL BRIEF ON EACH SIDE
BUT WITH NEITHER THE "WINNER" AND WITH POSSIBLE FURTHER
DETERIORATION IN CONSENSUS ON QA. RECOMMEND DEPARTMENT
AGREE TO PROPOSALS PARA ONE AND TEXT PARA 2.
CASH

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: HUMAN RIGHTS, AGREEMENT DRAFT, POLITICAL FREEDOM
Control Number: n/a
Copy: SINGLE
Draft Date: 23 AUG 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: golinofr
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974BONN13399
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D740233-0709
From: BONN
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19740824/aaaaauab.tel
Line Count: 163
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: (A) BONN 12961; (B) STATE 177420 (NO, TAL);
Review Action: RELEASED, APPROVED
Review Authority: golinofr
Review Comment: n/a
Review Content Flags:
Review Date: 05 APR 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <05 APR 2002 by shawdg>; APPROVED <26 JUN 2002 by golinofr>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: REPLY TO SOVIET STATEMENTS ON COVENANT ON CIVIL AND POLITICAL RIGHTS
TAGS: PFOR, WB, GE, UK, US, UR, FR
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005